

IPW
PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of)	Group Art Unit: 2878
Peter J. Hopper et al.)	Examiner: Meyer, David C.
Application No. 10/690,181)	INFORMATION DISCLOSURE
Filed: October 21, 2003)	<u>STATEMENT</u>
For: OPTICAL SENSOR THAT MEASURES)	
THE LIGHT OUTPUT BY THE)	
COMBUSTION CHAMBER OF AN)	
INTERNAL COMBUSTION ENGINE)	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith information of which applicants are aware, which applicants believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement:

- (a) ☐ accompanies the new patent application submitted herewith. 37 CFR § 1.97(a).
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.
- (c) ☒ as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service, postage prepaid, in an envelope, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 08-06-04.

Dated: August 6, 2004 By: Julian D. King.

(d) ☐ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below.

(e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180) set forth in 37 CFR § 1.17(i)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

[If either of boxes (d) or (e) are checked above, the following "certification" under 37 CFR § 1.97(e) may need to be completed.] The undersigned certifies that:

(f) ☐ Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

(g) ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publications(s) is set forth on the attached Form PTO-1449 (Modified). A copy of the items on PTO-1449 (Modified) is supplied herewith:

(h) ☐ each

(i) ☒ none

(j) ☐ only those listed below:

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached form PTO-1449 (Modified) are not supplied because they:

☐ were previously cited by or submitted to the Office in a prior application no. _____ filed _____ and relied upon in this application for an earlier filing date under 35 U.S.C. § 120 or

☒ are hereby waived pursuant to 37 CFR 1.98 (a)(2)(i) for all U.S. national patent applications filed after June 30, 2003.

A concise explanation of relevance of the described above and attached information is:

(k) ☒ not given

(l) ☐ given for each listed item

(m) ☐ given for only non-English language listed item(s) [Required]

- (n) [] is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references [copy attached].

While the information disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that the information referred to is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the above-described and attached information.

The Commissioner is hereby authorized to charge our Deposit Account No. 502305 for any fees required in connection with the filing of the Information Disclosure Statement. **A duplicate copy of this Notice is enclosed for this purpose.** In particular, in the event that an Office Action has cross in the mail with this Information Disclosure Statement, the Commissioner is authorized to charge the above-named deposit account for any fees required pursuant to 37 C.F.R. §1.17(p) or 1.17 (i) (1).

Respectfully submitted,

Dated: 8-6-04

By: Mark C. Pickering
Mark C. Pickering
Reg. No. 36,239

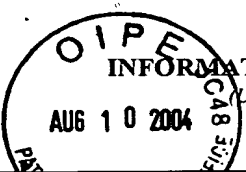
Attorney for Assignee

Atty. Docket No: 100-23400 (P05711)

P.O. Box 300
Petaluma, CA 94953-0300
Direct Telephone: (707) 762-5583
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<div style="position: relative; height: 100px;"> <div style="position: absolute; top: 0; left: 0; width: 100%; height: 100%; border: 1px solid black; border-radius: 50%; text-align: center; line-height: 100px; font-size: 24px; font-weight: bold;"> O I R E AUG 10 2004 PATENT & TRADEMARK OFFICE </div> </div> <p style="margin-top: 10px;">INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)</p>				Docket Number (Optional) 100-23400 (P05711)		Application Number 10/690,181		
				Applicant(s) Peter J. Hopper et al.				
				Filing Date October 21, 2003		Group Art Unit 2859		
U.S. PATENT DOCUMENTS								
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
		*6,760,070 B1	07/06/04	Merrill et al.	348	294	03/16/00	
		*6,741,283 B1	05/25/04	Merrill et al.	348	308	11/28/00	
		*6,731,397 B1	05/04/04	Merrill et al.	358	1.16	05/21/99	
		*6,727,521 B2	04/27/04	Merrill	257	98	06/18/01	
		*RE38,499 E	04/20/04	Merrill et al.	348	301	06/29/01	
U.S. PATENT APPLICATION PUBLICATIONS								
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>								
EXAMINER				DATE CONSIDERED				

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

 <p style="text-align: center;">INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)</p>	Docket Number (Optional) 100-23400 (P05711)	Application Number 10/690,181
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U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		*6,697,114 B1	02/24/04	Merrill	348	308	08/13/99
		*6,636,261 B1	10/21/03	Pritchard et al.	348	308	01/28/00
		*6,632,701 B2	10/14/03	Merrill	438	70	10/01/02
		*6,606,120 B1	08/12/03	Merrill et al.	348	273	04/12/99
		*6,525,304 B1	02/25/03	Merrill et al.	250	208.1	11/28/00

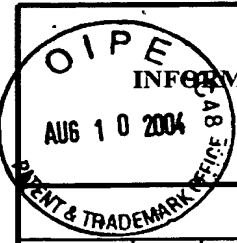
U.S. PATENT APPLICATION PUBLICATIONS							
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INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

100-23400 (P05711)

Application Number

10/690,181

Applicant(s)

Peter J. Hopper et al.

Filing Date

October 21, 2003

Group Art Unit

2859

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		*6,512,544 B1	01/28/03	Merrill et al.	348	302	06/17/98
		*6,476,372 B2	11/05/02	Merrill et al.	250	208.1	03/20/01
		*6,452,633 B1	09/17/02	Merrill et al.	348	302	02/26/98
		*6,410,899 B1	06/25/02	Merrill et al.	250	208.1	02/14/00
		*6,369,853 B1	04/09/02	Merrill et al.	348	302	11/13/97

U.S. PATENT APPLICATION PUBLICATIONS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

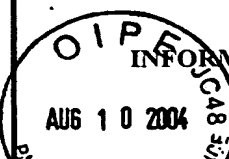
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*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		*6,246,043 B1	06/12/01	Merrill	250	208.1	09/22/98
		*6,211,510 B1	04/03/01	Merrill et al.	250	208.1	01/26/00
		*6,160,282	12/12/00	Merrill	257	292	04/21/98
		*6,150,683	11/21/00	Merrill et al.	257	292	06/27/97
		*6,088,058	07/11/00	Mead et al.	348	296	05/29/97

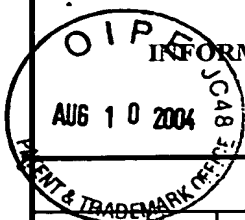
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		*6,066,510	05/23/00	Merrill	438	57	05/05/98
		*6,018,365	01/25/00	Merrill	348	302	03/05/99
		*6,002,432	12/14/99	Merrill et al.	348	241	09/10/96
		*5,982,012	11/09/99	Merrill	257	463	01/14/98
		*5,970,316	10/19/99	Merrill	438	57	09/25/98

U.S. PATENT APPLICATION PUBLICATIONS

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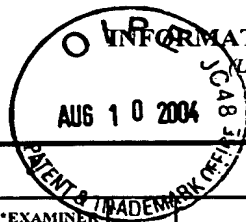
OTHER DOCUMENTS

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		*5,965,875	10/12/99	Merrill	250	226	04/24/98
		*5,962,844	10/05/99	Merrill et al.	250	214 A	09/03/97
		*5,932,873	08/03/99	Bergemont et al.	250	208.1	09/17/97
		*6,750,489 B1	06/15/04	Merrill	257	292	10/25/02

U.S. PATENT APPLICATION PUBLICATIONS

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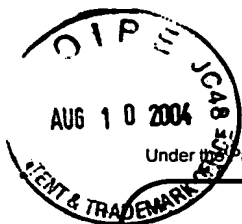
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PTO/SB/21 (08-03)

Approved for use through 07/31/06. OMB 0651-0031

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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission

14

Application Number

10/690,191

Filing Date

October 21, 2003

First Named Inventor

Peter J. Hopper et al.

Group Art Unit

2878

Examiner Name

Meyer, David C.

Attorney Docket Number

100-23400 (P05711)

ENCLOSURES (check all that apply)☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Response☐ After Final (Response)☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement,
Forms PTO-1449 (6 pages)☐ Certified Copy of Priority
Document(s)☐ Response to Missing Parts/
Incomplete Application☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53☐ Assignment Papers
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition Routing Slip (PTO/SB/69)
and Accompanying Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ After Allowance Communication to
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or
Individual name

Mark C. Pickering, Reg. No. 36,239

Signature

Date

August 6, 2004

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Typed or printed name

Robin L. King

Signature

Date

August 6, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.